

---

60 East 42<sup>nd</sup> Street • Suite 2727 • New York, NY 10165 • T: 212.792-0046  
E: [jason@levinepstein.com](mailto:jason@levinepstein.com)

The Honorable Sanket J. Bulsara, U.S.M.J.  
U.S. District Court, Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Rodea v. New York Diner, Inc. et al*  
**Case No.: 1:21-cv-00217**

Dear Honorable Magistrate Judge Bulsara:

This law firm represents Defendants New York Diner, Inc. and Paula Rivadeneira (together, the “Defendants”) in the above-referenced matter.

Pursuant to Rules I(A) and IV(B) of Your Honor’s Individual Motion Practices, and pursuant to Your Honor’s August 13, 2021 Order, this letter respectfully serves as a request to file a motion to compel Plaintiff to: (i) produce supplemental responses to Defendants’ First Set of Interrogatories, *without objections*; and (ii) produce supplemental responses to Defendants’ First Request for the Production of Documents<sup>1</sup>, *without objections*.

As set forth more fully in Defendants’ anticipated motion to compel, Plaintiff’s responses and objections to Defendants’ First Set of Discovery Requests are grossly deficient because: (i) Plaintiff’s interrogatories are not verified; (ii) Plaintiff’s responses contain improper boiler-plate general objections as to relevancy, overbreadth, undue burden, and disproportionality; (iii) Plaintiff’s responses contain improper boiler-plate general objections as to privilege; (iii) Plaintiff’s responses contain improper boiler-plate reservations; and (iv) Plaintiff has still failed to respond to *virtually any* of Defendants’ First Set of Interrogatories.

The undersigned certifies that Defendants and Plaintiff met-and-conferred regarding the above-referenced dispute on August 20, 2021 in a good faith effort to resolve the dispute without Court intervention.

We thank the Court for its attention to this matter, and are available at the Court’s convenience to answer any questions related to the foregoing.

Thank you, in advance, for your time and consideration.

---

<sup>1</sup> Defendants’ First Request for the Production of Documents, together with Defendants’ First Set of Interrogatories are hereinafter referred to as, “Defendants’ First Set of Discovery Requests”.

Respectfully submitted,

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: /s/ Jason Mizrahi

Jason Mizrahi  
60 East 42<sup>nd</sup> Street, Suite 4700  
New York, NY 10165  
Tel. No.: (212) 792-0048  
Email: [Jason@levinepstein.com](mailto:Jason@levinepstein.com)  
*Attorneys for Defendants*

VIA ECF: All Counsel